

REMARKS

I. INTRODUCTION

Claims 21, 22, 26, 41 and 42 have been amended. Claims 1-20, 23 and 32 have been cancelled. Claims 27-31, 39 and 40 have been withdrawn. No new matter has been added. Thus, claims 21, 22, 24-31, and 33- 43 are pending in the present application. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

Applicants respectfully submit that the Examiner should enter the above amendments because these amendments merely incorporate previously examined claims into the base claim. Specifically, claim 21 has been amended to include the previously examined subject matter of cancelled claims 23 and 32. Accordingly, entry of these amendments after final is proper.

Applicants further submit that the Examiner should withdraw the finality of the current rejection because the Examiner has not examined all the previously pending claims. The previously submitted amendment presented claims 21-43 for examination, of which claims 27-31 and 39-40 were withdrawn. (*See*, Amendment dated 7/8/2009). The Examiner appears to have only examined claims 21-42 as shown on the Office Action Summary Sheet. (*See* 10/5/09 Office Action). A closer review of the Office Action reveals that the Examiner has apparently examined pending claim 42 as claim 41 (*See* 10/5/09 Office Action, p. 6) and pending claim 43 as claim 42. (*See* 10/5/09 Office Action, p. 3). Thus, it appears that the Examiner has not provided a final rejection of pending claim 41. Accordingly, Applicants respectfully request that the Examiner withdraw the finality of the current Office Action.

II. THE 35 U.S.C. § 103 REJECTIONS SHOULD BE WITHDRAWN

Claims 21-22, 33, 35, 37-38 and 43¹ stand rejected under 35 U.S.C. §103(a) as unpatentable over either US Patent 5,897,184 to Eichenlaub ("Eichenlaub") or U.S. Patent 6,474,827 to Shinohara ("Shinohara") in view of U.S. Patent 6,379,017 to Nakabayashi ("Nakabayashi"). (*See* 10/5/09 Office Action, pp. 2-4).

Claim 23 stands rejected under 35 U.S.C. §103(a) as unpatentable over either Eichenlaub or Shinohara in view of Nakabayashi, in further view of U.S. patent 5,546,492 to Ansley ("Ansley") and JP 2000171798 to Higuchi ("Higuchi"). (*See* 10/5/09 Office Action, p. 4).

Claims 24-25, 32 and 42² stand rejected under 35 U.S.C. §103(a) as unpatentable over either Eichenlaub or Shinohara in view of Nakabayashi in further view of either U.S. Patent Publication 2005/0162586 to Bae ("Bae") or U.S. Patent 6,545,811 to Fujimoto ("Fujimoto"). (*See* 10/5/09 Office Action, pp. 5-6).

Applicants note that since previously presented claim 32 depended from claim 23, the Applicants have assumed that the rejection of claim 32 also depended on the rejection of claim 23 which included reference to Ansley and Higuchi. Thus, in presenting arguments regarding the subject matter of cancelled claim 32, the Applicants have addressed Ansley and Higuchi in order for the response to be complete. Applicants respectfully request the Examiner specifically state if the Applicants assumption with respect to the rejection is incorrect.

Claim 21 has been amended to recite "[a] three-dimensional (3D) display device comprising a backlight, the backlight comprising a planar light guide through which light is guided transversely by internal reflection, wherein regions of the light guide are

1 The rejection states claim 42 is rejected but the body of the Office Action recites the language of pending claim 43.

2 The rejection states claim 41 is rejected but the body of the Office Action recites the language of pending claim 42.

configured to direct light propagating within the light guide by internal reflection, out of a face of the light guide without passing through the light guide after being directed by the regions so as to form a plurality of line light sources, the regions comprising grooves filled with a material having a higher refractive index than the light guide, *wherein the material which fills the grooves is formed as a layer extending across an upper surface of the light guide, the thickness of the layer being less than a period of the grooves.*

As described above, the amendment to claim 21 includes the previously examined subject matter of cancelled claims 23 and 32. The Examiner admits that neither Eichenlaub, Shinohara or Nakabayashi disclose the subject matter of cancelled claim 32. (See 10/5/09 Office Action, pp. 5-6). However, the Examiner cites Bae and Fujimoto to cure this deficiency. (See, *Id.*). In discussing Bae and Fujimoto, the Examiner alleges that each of these references teach forming cylindrical lenses by filling in grooves with transparent or liquid material. (See, *Id.* at p. 6). However, the Examiner never addresses the limitation of “wherein the material which fills the grooves is formed as a layer extending across an upper surface of the light guide, the thickness of the layer being less than a period of the grooves” previously recited in cancelled claim 32 and currently recited in amended claim 21. Applicants have thoroughly reviewed Bae and Fujimoto and cannot find any disclosure or embodiment that suggests the above recitation of claim 21. Moreover, Applicants have also reviewed Ansley and Higuchi and cannot find any disclosure or embodiment that suggests the above recitation of claim 21.

Accordingly, Applicants respectfully submit that none of Eichenlaub, Shinohara, Nakabayashi, Bae, Fujimoto, Ansley or Higuchi, either alone or in combination, disclose or suggest “wherein the material which fills the grooves is formed as a layer extending across an upper surface of the light guide, the thickness of the layer being small with respect to the period of the grooves” as recited in claim 21. Accordingly, the rejection of claim 21 and its dependent claims 22, 24-25, 33, 35, 37-38 and 42-43 should be withdrawn.

Claims 26 and 34 stand rejected under 35 U.S.C. §103(a) as unpatentable over either Eichenlaub or Shinohara in view of Nakabayashi, in further view of U.S. Patent Publication 2002/0089620 to Yamamoto ("Yamamoto"). (See 10/5/09 Office Action, pp. 4-5).

Yamamoto does not cure the above described deficiencies of Eichenlaub, Shinohara and Nakabayashi with respect to "wherein the material which fills the grooves is formed as a layer extending across an upper surface of the light guide, the thickness of the layer being less than a period of the grooves" as recited in claim 21. Since claims 26 and 34 depend from, and therefore include all the limitations of, claim 21, these claims are also allowable.

Claims 36 stands rejected under 35 U.S.C. §103(a) as unpatentable over either Eichenlaub or Shinohara in view of Nakabayashi, in further view of U.S. Patent 7,128,459 to Igarashi (Igarashi"). (See 10/5/09 Office Action, p. 5).

Igarashi does not cure the above described deficiencies of Eichenlaub, Shinohara and Nakabayashi with respect to "wherein the material which fills the grooves is formed as a layer extending across an upper surface of the light guide, the thickness of the layer being less than a period of the grooves" as recited in claim 21. Since claim 36 depends from, and therefore include all the limitations of, claim 21, this claim is also allowable.

CONCLUSION

In light of the foregoing, Applicants respectfully submit that all of the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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